

AO 120 (Rev. 2/99)

TO: Mail Stop 8 Director of the U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court Northern District of California on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. C-11-4479-EDL	DATE FILED September 8, 2011	U.S. DISTRICT COURT Office of the Clerk, 450 Golden Gate Ave., 16 th Floor, San Francisco, CA 94102
PLAINTIFF ARRIVALSTAR S.A. & MELVINO TECHNOLOGIES LIMITED		DEFENDANT BLUE SKY NETWORK, LLC, JET AIRWAYS OF INDIA, INC., GTX CORP. & INTINIC TECHNOLOGY SOLUTIONS, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 <u>6,278,936</u>		
2 <u>6,317,060</u>		"PLS. SEE ATTACHED COPY OF COMPLAINT"
3 <u>6,714,859</u>		
4 <u>6,741,927</u>		
5 <u>6,804,606</u>		

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 <u>6,904,359</u>	<u>B2</u>	
2 <u>6,404,359</u>	<u>C1</u>	
3 <u>6,452,645</u>	<u>B1</u>	
4 <u>7,191,058</u>	<u>B2</u>	
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK Richard W. Wicking	(BY) DEPUTY CLERK Thelma Nudo	DATE September 8, 2011
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Copy 1—Upon initiation of action, mail this copy to Commissioner Copy 3—Upon termination of action, mail this copy to Commissioner
 Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner Copy 4—Case file copy


JURY DEMAND

ArrivalStar demands a trial by jury on all issues presented in this Complaint.

Dated: September 8, 2011

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

By: _____


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Attorneys for Plaintiffs ArrivalStar, S.A. and
MelvinoTechnologies, Inc.

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ARRIVALSTAR S.A. and MELVINO
TECHNOLOGIES LIMITED,

Plaintiffs,

v.

BLUE SKY NETWORK, LLC, a Delaware
Limited Liability Company; JET AIRWAYS
OF INDIA, INC., a California Corporation;
GTX CORP, a Nevada Corporation; INTHINC
TECHNOLOGY SOLUTIONS, INC., a
Delaware corporation,

Defendants.

Case No.:

COMPLAINT FOR PATENT
INFRINGEMENT

DEMAND FOR JURY TRIAL

Patent:
6,278,936
6,317,060
6,714,859
6,741,427
6,804,606
6,904,359 B2
6,904,359 C1
6,952,645 B1
7,191,058 B2

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SEP - 8 2011

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

E-FILED

EDL

1 6. ArrivalStar owns all right, title and interest in, and has standing to sue for
2 infringement of United States Patent No. 6,317,060 ("the '060 patent"), entitled "Base station
3 system and method for monitoring travel of mobile vehicles and communicating notification
4 messages," issued November 13, 2001. A copy of the '060 patent is annexed hereto as Exhibit
5 B.

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7 7. ArrivalStar owns all right, title and interest in, and has standing to sue for
8 infringement of United States Patent No. 6,714,859 ("the '859 patent"), entitled "System and
9 method for an advance notification system for monitoring and reporting proximity of a vehicle,"
10 issued March 30, 2004. A copy of the '859 patent is annexed hereto as Exhibit C.

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12 8. ArrivalStar owns all right, title and interest in, and has standing to sue for
13 infringement of United States Patent No. 6,741,927 ("the '927 patent"), entitled "User-definable
14 communications methods and systems," issued May 25, 2004. A copy of the '927 patent is
15 annexed hereto as Exhibit D.

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17 9. ArrivalStar owns all right, title and interest in, and has standing to sue for
18 infringement of United States Patent No. 6,804,606 ("the '606 patent"), entitled "Notification
19 systems and methods with user-definable notifications based upon vehicle proximities," issued
20 October 12, 2004. A copy of the '606 patent is annexed hereto as Exhibit E.

21 10. ArrivalStar owns all right, title and interest in, and has standing to sue for
22 infringement of United States Patent No. 6,904,359 ("the '359 patent"), entitled "Notification
23 systems and methods with user-definable notifications based upon occurrence of events," issued
24 June 7, 2005. A copy of the '359 patent is annexed hereto as Exhibit F. The '359 patent was the
25 subject of an *Inter Partes* reexamination at the United States Patent and Trademark Office. A
26 Reexamination Certificate was issued on May 25, 2010 and is annexed hereto as Exhibit G.
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1 11. ArrivalStar owns all right, title and interest in, and has standing to sue for
2 infringement of United States Patent No. 6,952,645 (“the ‘645 patent”), entitled “System and
3 method for activation of an advance notification system for monitoring and reporting status of
4 vehicle travel,” issued October 4, 2005. A copy of the ‘645 patent is annexed hereto as Exhibit
5 H.

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7 12. ArrivalStar owns all right, title and interest in, and has standing to sue for
8 infringement of United States Patent No. 7,191,058 (“the ‘058 patent”), entitled “Notification
9 systems and methods enabling user entry of notification trigger information based upon
10 monitored mobile vehicle location,” issued March 13, 2007. A copy of the ‘058 patent is
11 annexed hereto as Exhibit I.

12
13 13. Defendant Blue Sky is a Delaware Limited Liability Company with a place of
14 business at 1298 Prospect Street, Suite 1D, La Jolla, California 92037. Blue Sky transacts
15 business and has offered to provide and/or provided in this judicial district services that infringe
16 claims of the ‘859 and ‘359 patents.

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18 14. Defendant Jet Airways is a California Corporation with a place of business at 111
19 Anza Boulevard, Suite 300, Burlingame, California 94010. Jet Airways transacts business and
20 has offered to provide and/or provided in this judicial district services that infringe claims of the
21 ‘060, ‘859 and ‘359 patents.

22 15. Defendant GTX Corp. is a Nevada Corporation with a place of business at 117
23 West 9th Street, Suite 1214, Los Angeles, California 90015. GTX Corp. transacts business and
24 has offered to provide and/or provided in this judicial district services that infringe claims of the
25 ‘936, ‘859, ‘927, ‘606, ‘359 and ‘058 patents.
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1 16. Defendant Inthinc is a Delaware Corporation with a place of business at 4225
2 West Lake Park Boulevard., Suite 100, Salt Lake City, Utah 84120. Inthinc transacts business
3 and has offered to provide and/or provided in this judicial district services that infringe claims of
4 the '859, '927, '359, '645 and '058 patents.

5 17. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400(b).

6 **DEFENDANT BLUE SKY'S ACTS OF PATENT INFRINGEMENT**

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8 18. Defendant Blue Sky have infringed claims of the '859 and '359 patents through,
9 among other activities, the use of Blue Sky's SkyRouter 2 vehicle tracking system.

10 19. Blue Sky's SkyRouter 2 vehicle tracking system allows users to define events that
11 will cause the creation and communication of an alert notification.

12 20. Blue Sky's SkyRouter 2 vehicle tracking system allows a user to specify a radial
13 distance from a location and receive an email alert when a vehicle arrives within the radial
14 distance from the location.

15 21. Blue Sky's SkyRouter 2 vehicle tracking system receives Latitude and Longitude
16 data transmitted from vehicles.

17 22. Blue Sky's SkyRouter 2 vehicle tracking system receives and stores data
18 transmitted from vehicles

19 23. Defendant's infringement has injured and will continue to injure ArrivalStar
20 unless and until this Court enters an injunction prohibiting further infringement and, specifically,
21 enjoining further use of methods and systems that come within the scope of the '859 and '359
22 patents.

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1 **DEFENDANT JET AIRWAYS' ACTS OF PATENT INFRINGEMENT**

2 24. Defendant Jet Airways have infringed claims of the '060, '859 and '359 patents
3 through, among other activities, the use of Jet Airways' Flight Status Notification system.

4 25. Jet Airways' Flight Status Notification system is configured to notify users of
5 impending arrivals of airplanes.

6 26. Jet Airways' Flight Status Notification system is configurable to transmit an alert
7 when flight 9W228 from Mumbai, India arrives at Brussels, Belgium en route to Newark, New
8 Jersey.

9 27. Jet Airways' Flight Status Notification system is configured to transmit alerts via
10 email and SMS text message.

11 28. On August 31, 2011, Jet Airways' Flight Status Notification system included
12 computer servers with the Internet Protocol (IP) addresses of 96.17.76.9 and 96.17.76.42 that
13 were located in Cambridge, Massachusetts.

14 29. Defendant's infringement has injured and will continue to injure ArrivalStar
15 unless and until this Court enters an injunction prohibiting further infringement and, specifically,
16 enjoining further use of methods and systems that come within the scope of the '060, '859 and
17 '359 patents.
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19 **DEFENDANT GTX CORP.'S ACTS OF PATENT INFRINGEMENT**

20 30. Defendant GTX Corp. have infringed claims of the '936, '859, '927, '606, '359
21 and '058 patents through, among other activities, the use of GTX Corp.'s tracking platform.

22 31. GTX Corp.'s tracking platform receives data from GTX AVL devices.

23 32. GTX Corp. advertises that the GTX AVL is "a fully integrated tracking device
24 communicating vehicle location."
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1 33. GTX Corp.'s tracking platform allows users to create Geozones by specifying a
2 radius, in meters, from a location.

3 34. GTX Corp.'s tracking platform allows users to receive alerts on their mobile
4 phone or by e-mail when a device leaves or enters a predetermined area.

5 35. GTX Corp.'s tracking platform transmits alerts that include graphical mapping
6 data.

7
8 36. Defendant's infringement has injured and will continue to injure ArrivalStar
9 unless and until this Court enters an injunction prohibiting further infringement and, specifically,
10 enjoining further use of methods and systems that come within the scope of the '936, '859, '927,
11 '606, '359 and '058 patents.

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13 **DEFENDANT INTINC'S ACTS OF PATENT INFRINGEMENT**

14 37. Defendant Inthinc have infringed claims of the '859, '927, '359, '645 and '058
15 patents through, among other activities, the use of Inthinc's tiwi vehicle tracking system.

16 38. Inthinc's tiwi vehicle tracking system is configured to track and monitor vehicles
17 driven by teenage drivers.

18 39. Ithinc's tiwi system is configurable to transmit an email or text alert when a
19 vehicle arrives at a pre-determined destination.

20 40. Ithinc's tiwi system is configurable to transmit an alert when a vehicle arrives at a
21 pre-determined destination during a predetermined time period.

22 41. Ithinc's tiwi system has been configured to transmit an alert notification via SMS
23 text message when a 2006 Ford Focus vehicle arrived within a geofence proximity of a school
24 between 8:00 am and 8:30 am.
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